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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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**2005 Senate Bill 530**

**Assembly Amendment 1**

*Memo published:* May 4, 2006

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*Current law* provides that a person convicted of a second or third offense of operating a motor vehicle while under the influence of an intoxicant (OWI) will be imprisoned for at least five days and not more than six months or at least 30 days and not more than one year, respectively. A person convicted of a second or third offense of causing injury to another person while intoxicated will be imprisoned not less than 30 days nor more than one year. These persons may not be released on probation.

*Senate Bill 530*, as amended by the Senate, creates a pilot program in Winnebago County that reduces the periods of imprisonment if the offender successfully completes participation in a volunteers in probation program that includes alcohol and other drug treatment. Such a person will serve the following periods of imprisonment:

1. Not less than five nor more than seven days for a second OWI offense.
2. Not less than 10 days nor more than one year for a third OWI offense.
3. Not less than 15 days nor more than one year for a second or third occurrence of causing injury to another person due to the operation of a motor vehicle while under the influence of an intoxicant or other drug.

*Assembly Amendment 1* provides that a person is subject to the pilot program only if the underlying offense is related to the person's use of alcohol.

Assembly Amendment 1 also provides that the pilot program sunsets 72 months after the date of publication.

### Legislative History

The Assembly Committee on Criminal Justice and Homeland Security offered Assembly Amendment 1. On May 4, 2006, the committee adopted Assembly Amendment 1 on a vote of Ayes, 10; Noes, 0. On the same date, the committee recommended concurrence in Senate Bill 530, as amended, on a vote of Ayes, 10; Noes, 0.

RS:tlujal